

important in targeting assistance programs, early intervention, and prevention efforts. The bill, itself, recognizes the sensitivity to the reporting issue, creates extensive informed consent requirements before an individual may be treated for HIV. The bulk of the committee amendments is to add an exception to the informed consent requirements of 819 in cases involving a medical personnel's significant exposure to a patient's blood or other known disease carrying pathogens. In such cases, when a medical worker has been exposed the amendment creates a process by which the patient can be tested for HIV. If the patient refuses to consent, the provider would eventually be able to obtain a court order. This nonconsent protocol is essentially identical to a similar protocol in existing law covering only emergency medical workers. The Nebraska Hospital Association asked for the amendment because LB 819, as originally introduced, conflicted with federal OSHA rules which require hospitals to test patients for HIV in the event of a significant exposure, unless there is a state law to the contrary. Informed consent in a hospital setting is actually strengthened by this amendment since it creates the requirement to first obtain a court order. The committee amendments also incorporate some changes suggested by the special AIDs Task Force that I chaired last winter. First, it strikes the provision in the original bill that allowed an HIV test to be performed when a patient was unconscious or otherwise unable to consent to the test. The Task Force felt that HIV testing was not critical to the immediate task of stabilizing the patient and that the test could wait until the patient was coherent and capable of deciding whether to give consent. The amendments also allow the department to ask for a fee to defray some of the expenses of providing follow-up services, but the department may not refuse services if an individual cannot afford a donation. I would ask for support for the amendments. Thank you.

PRESIDENT ROBAK: Thank you, Senator Dierks. Do you wish to close on the amendment? Closing is waived. The issue before the body is the adoption of the committee amendments to LB 819. All those in favor vote aye, all those opposed vote nay. Have you all voted? Please record, Mr. Clerk.

CLERK: 25 ayes, 0 nays, Madam President, on the adoption of the committee amendments.

PRESIDENT ROBAK: The committee amendments are adopted. The Chair recognizes Senator Dierks to open on the bill.